

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ESTHER LOWINGER, et al. )  
Plaintiffs, )  
v. )  
PZENA INVESTMENT MANAGEMENT, INC., )  
et al. )  
Defendants. )  
JERE C. WHITE, et al., )  
Plaintiffs, )  
v. )  
PZENA INVESTMENT MANAGEMENT, INC., )  
et al. )  
Defendants. )

Case No. 1:07-cv-10524-AKH

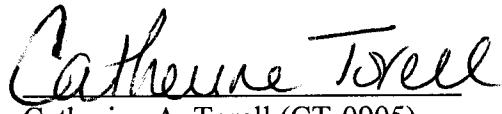
Case No. 1:08-cv-00406-AKH

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the annexed Declarations of Catherine A. Torell and Jason M. Leviton and the Certificates of Good Standing annexed thereto, the undersigned will appear before the Honorable Alvin K. Hellerstein on a date to be determined by the Court, in the United States Courthouse, 500 Pearl Street, New York, New York 10007 for an Order (attached as Exhibit A), pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, admitting Jason M. Leviton as attorney *pro hac vice*.

Dated: April 3, 2008

Respectfully submitted,



Catherine A. Torell (CT-0905)

**COHEN, MILSTEIN, HAUSFELD & TOLL, PLLC**

150 East 52<sup>nd</sup> Street

New York, New York 10022

Telephone: (212) 838-7797

Facsimile: (212) 838-7745

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ESTHER LOWINGER, et al.	)	
	)	
Plaintiffs,	)	
	)	Case No. 1:07-cv-10524-AKH
v.	)	
	)	
PZENA INVESTMENT MANAGEMENT, INC.,	)	
et al.	)	
	)	
Defendants.	)	
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JERE C. WHITE, et al.,	)	
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Plaintiffs,	)	
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v.	)	
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PZENA INVESTMENT MANAGEMENT, INC.,	)	
et al.	)	
	)	
Defendants.	)	
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**[PROPOSED] ORDER**

This matter coming before the Court on the Motion to Appear Pro Hac Vice of Movant, Jason M. Leviton of Cohen, Milstein, Hausfeld & Toll, P.L.L.C., 1100 New York Avenue, NW, Suite 500 West, Washington, District of Columbia, 20005 for purposes of the above-entitled cause. After careful consideration, the Court is of the opinion that said motion should be GRANTED. It is therefore ORDERED that Jason M. Leviton shall be allowed to appear before this Court *pro hac vice*, subject to the Local Rules of the Southern District of New York.

Signed this \_\_\_\_\_ day of April, 2008

**UNITED STATES DISTRICT COURT JUDGE**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ESTHER LOWINGER, et al.	)	
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Plaintiffs,	)	
	)	Case No. 1:07-cv-10524-AKH
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PZENA INVESTMENT MANAGEMENT, INC.,	)	
et al.	)	
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Defendants.	)	
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JERE C. WHITE, et al.,	)	
	)	
Plaintiffs,	)	
	)	Case No. 1:08-cv-00406-AKH
v.	)	
	)	
PZENA INVESTMENT MANAGEMENT, INC.,	)	
et al.	)	
	)	
Defendants.	)	
	)	

**DECLARATION**

Catherine A. Torell, hereby declares as follows:

1. I am an attorney admitted to practice in the State of New York, and in the Southern District of New York, and an attorney with the firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. I submit this Declaration in support of the motion to admit Jason M. Leviton to the United District Court for the Southern District of New York *pro hac vice* for purposes of this action.

2. I agree to act as local counsel for Jason M. Leviton and to observe the Rules of this Court governing the conduct of attorneys.

3. Jason M. Leviton is a member in good standing of the Bar of the District of Columbia Court of Appeals, the Bar of Florida, the Bar of the Western District of Washington and

the Bar of Washington State. Mr. Leviton is an associate with the firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C., and is counsel to plaintiff, Chaoxu Zhao, in this action.

4. For the foregoing reasons, it is respectfully requested that Jason M. Leviton be admitted *pro hac vice* to the United States Court for the Southern District of New York for purposes of this action.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: April 3, 2008

Catherine A. Torell  
Catherine A. Torell

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ESTHER LOWINGER, et al.	)	
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PZENA INVESTMENT MANAGEMENT, INC.,	)	
et al.	)	
	)	
Defendants.	)	
	)	
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**DECLARATION**

Jason M. Leviton, hereby declares as follows:

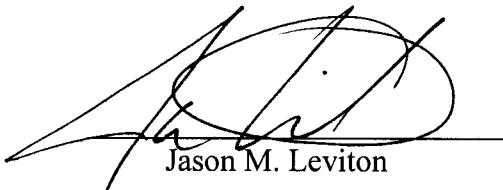
1. I am an associate with the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C.
2. I submit this Declaration in support of the motion of Catherine A. Torell for my admission to practice *pro hac vice* in the above-captioned matter.
3. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bar of the District of Columbia Court of Appeals, admitted on December 12<sup>th</sup>, 2005, Bar No. 495460; the Florida Bar, admitted on September 21, 2004, Bar No. 769681; the Bar of the Western District of Washington, admitted on December 16, 2003, and the Washington State Bar, admitted on November 12, 2003, Bar No. 34106.

4. There are no pending disciplinary proceedings against me in any State or Federal Court..

5. Wherefore, declarant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I hereby declare under penalty of perjury that the foregoing is true and correct.

DATED: April 1, 2008



A handwritten signature in black ink, appearing to read "Jason M. Leviton". The signature is fluid and cursive, with a large, stylized 'J' at the beginning.



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JASON M. LEVITON

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was on the 12<sup>TH</sup> day of DECEMBER, 2005

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on March 27, 2008.

GARLAND PINKSTON, JR., CLERK

By: J. Michael  
Deputy Clerk



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
www.FLORIDABAR.ORG

State of Florida      )  
County of Leon      )

In Re:      769681  
Jason Mathew Leviton  
Cohen Milstein Hausfeld & Toll  
1100 New York Ave. N.W., Ste.  
500 W.  
Washington, DC

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 21, 2004.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 6<sup>th</sup> day of March, 2008.

A handwritten signature in black ink, appearing to read "Johnny M. Smith".

Johnny M. Smith  
Assistant Director, Membership Records  
The Florida Bar

## CERTIFICATE OF GOOD STANDING

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

I, Bruce Rifkin, Clerk of the United States District Court for the Western District of Washington, Do Hereby Certify that Jason Mathew Leviton was admitted to practice in said Court on December 16, 2003 to the Western District of Washington, and is in good standing as a member of the bar of said Court.

Dated at Seattle, Washington on March 21, 2008.

Bruce Rifkin  
Clerk



By \_\_\_\_\_  
Deputy Clerk

# STATUS CERTIFICATE

This certifies that

## JASON LEVITON

was admitted to the Bar of the State of Washington on November 12, 2003, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of March 25, 2008.



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Paula C. Littlewood  
Executive Director

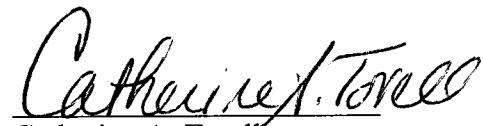
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, WA 98101-2539  
206-443-WSBA

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SOUTHERN DISTRICT OF NEW YORK

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et al.	)	
	)	
Defendants.	)	
	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3rd day of April, 2008, I caused to be served a true and correct copy of the foregoing Notice of Motion to admit Counsel Pro Hac Vice, Declarations of Catherine A. Torell and Jason M. Leviton in support of Motion to Admit Counsel Pro Hac Vice and [Proposed] Order Granting Application of Jason M. Leviton for Admission of Pro Hac Vice upon counsel listed on the attached service list, via U.S. Mail, postage prepaid:

  
Catherine A. Torell

**SERVICE LIST**

Jeffrey Simon Abraham  
Abraham Fruchter & Twersky LLP  
One Penn Plaza  
Suite 1910  
New York, NY 10119

Brian Howard Polovoy  
Sherman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022